

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

HENDRIK BLOCK,
Plaintiff,

v.

THE GRANARY, LLC,
Defendant.

Case No. [15-cv-04988-BLF](#)

**ORDER ADOPTING REPORT AND
RECOMMENDATION TO GRANT
PLAINTIFF'S MOTION FOR DEFAULT
JUDGMENT**

[Re: ECF 22]

This case has been referred to the Court with a Report and Recommendation from Magistrate Judge Nathanael Cousins. *See* Report and Recommendation, ECF 22. No parties filed written objections to the Report and Recommendation and the deadline to object has elapsed. *See* Fed. R. Civ. P. 72(b) (deadline for objections is fourteen days after being served with the Report and Recommendation); Certificate of Service, ECF 25 (Report and Recommendation served on May 9, 2016).

After careful consideration of the relevant authorities and the submissions, the Court adopts the Report and Recommendation in full and GRANTS Plaintiff's motion for default judgment on his ADA and Unruh Act architectural-barrier disability discrimination claims as to (1) the lack of properly configured and identified accessible route of travel from the designated accessible parking to the elevator; (2) the positioning of the men's restroom mirror; and (3) the positioning of the operable parts of the trash can in the men's restroom. *See* Report and Recommendation at 4-6, ECF 22.

The Court further enters judgment in favor of Plaintiff and against Defendant The Granary, LLC in the amount of \$7,464.37, consisting of: (1) \$4,000 in statutory damages; (2) \$1,990.87 in attorneys' fees; and (3) \$1,473.50 in costs. In addition, the following permanent injunction is

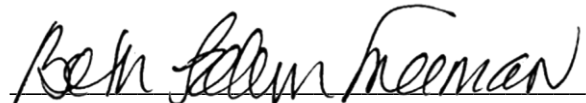
hereby ENETERED against Defendant The Granary, LLC:

Defendant The Granary, LLC must remove the following barriers within 6 months or bring them into compliance with Americans with Disabilities Act and California Code of Regulations, Title 24 as follows: (1) a properly configured and identified accessible route of travel from the designated accessible parking to the elevator shall be provided; (2) the mirror in the men's restroom shall be properly positioned; and (3) the operable parts of the trash can in the men's restroom shall be positioned within proper reach ranges.

For a district court's contempt power to apply to this injunction, Defendant The Granary, LLC must "receive actual notice of it by personal service or otherwise." Fed. R. Civ. P. 65(d)(2). Plaintiff is thus instructed to provide proper service of this order to Defendant The Granary, LLC by no later than **June 7, 2016**. Plaintiff shall also file a copy of the proof of service.

IT IS SO ORDERED.

Dated: May 24, 2016


BETH LABSON FREEMAN
United States District Judge